

Statutory Gift Acceptance Au

DEPARTMENTS

Department of Agriculture

7 SUC §2 629 - General

Notwithstanding any other law, the Secretary of Agriculture is authorized to accept, on behalf of the United States, any gift, bequest, or devise of real or personal property for the carrying out of the functions of the Department of Agriculture or for the carrying out of any project authorized by the Secretary of Agriculture.

Implementing regulation: Departmental Regulation

7 SUC §62 - National Agricultural Library

The Secretary of Agriculture is authorized to accept, on behalf of the United States, any gift, bequest, or devise of real or personal property for the carrying out of the functions of the National Agricultural Library, if the gift, bequest, or devise is for the carrying out of any project authorized by the Secretary of Agriculture. The Secretary of Agriculture is authorized to accept, on behalf of the United States, any gift, bequest, or devise of real or personal property for the carrying out of any project authorized by the Secretary of Agriculture, if the gift, bequest, or devise is for the carrying out of any project authorized by the Secretary of Agriculture.

16 USC §5 - National Wilderness Preservation System

(a) Acceptance by Secretary of Agriculture of

The Secretary of Agriculture is authorized to accept, on behalf of the United States, any gift, bequest, or devise of real or personal property for the carrying out of the functions of the National Wilderness Preservation System, if the gift, bequest, or devise is for the carrying out of any project authorized by the Secretary of Agriculture. The Secretary of Agriculture is authorized to accept, on behalf of the United States, any gift, bequest, or devise of real or personal property for the carrying out of any project authorized by the Secretary of Agriculture, if the gift, bequest, or devise is for the carrying out of any project authorized by the Secretary of Agriculture.

(b) Authorization to accept private contributions. The Secretary of Agriculture or the Secretary of the Interior may accept private contributions and gifts to be used to further the purposes of the National Wilderness Preservation System.

US Forest Service

16 USC § 471h—Cradle of Forestry

The Secretary of Agriculture is hereby authorized to cooperate with and receive the cooperation of public and private agencies and organizations and individuals in the development, administration, and operation of the Cradle of Forestry in America. The Secretary of Agriculture is authorized to accept contributions and gifts to be used to further the purposes of sections 471f to 471h of this title.

16 USC § 541d—Cascade Head Scenic Research Area

Subject to the provisions of subsection (b) of this section, the Secretary is authorized to acquire lands, waters, or interests therein within the Area by donation, purchase, exchange, or otherwise.

16 USC § 543b—Mono Basin Scenic Area

The Secretary is authorized to acquire all lands and interests therein within the boundary of the Scenic Area by donation, exchange in accordance with sections 543 to 543h of this title or other provisions of law, or purchase with donated or appropriated funds, except that—

(1) any lands or interests therein within the boundary of the Scenic Area which are owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only by donation or exchange; and

(2) lands or interests therein within the boundary of the Scenic Area which are not owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only with the consent of the owner thereof unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the Scenic Area or which is otherwise incompatible with the purposes of sections 543 to 543h of this title.

16 USC § 1643—Forest and Rangeland Research

In implementing this subchapter, the Secretary is authorized to accept, hold, and administer gifts, donations, and bequests of money, real property, or personal property from any source not otherwise prohibited by law and to use such gifts, donations, and bequests to

(1) establish or operate any forest and rangeland research facility within the United States, or

(2) perform any forest and rangeland renewable resource research activity authorized by this subchapter. Such gifts, donations, and bequests, or the proceeds thereof, and money appropriated for these purposes shall be deposited in the Treasury in

a special fund. At the request of the Secretary, the Secretary of the Treasury may invest or reinvest any money in the fund that in the opinion of the Secretary is not needed for current operations. Such investments shall be in public debt securities with maturities suitable for the needs of the fund and bearing interest at prevailing market rates. There are hereby authorized to be expended from such fund such amounts as may be specified in annual appropriation Acts, which shall remain available until expended.

US National Arboretum

20 USC § 195—General

Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to solicit, accept, receive, hold, utilize, and administer on behalf of the United States gifts, bequests, or devises of real and personal property made for the benefit of the National Arboretum or for the carrying out of any of its functions. For the purposes of the Federal income, estate, and gift tax laws, property accepted under the authority of this section shall be considered as a gift, bequest, or devise to the United States. Any gift of money accepted pursuant to the authority granted in this section, or the net proceeds from the liquidation of any property so accepted, or the proceeds of any insurance on any gift property not used for its restoration shall be deposited in the Treasury of the United States for credit to a separate fund and shall be disbursed upon order of the Secretary of Agriculture.

Department of the Army—see also DOD

10 USC § 4356—Gifts to the United States Military Academy

Under regulations prescribed by the Secretary of the Army, the Superintendent of the Academy may (without regard to section 2601 of this title) accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property of a value of \$20,000 or less made to the United States on the condition that such gift, devise, or bequest be used for the benefit of the Academy or any entity thereof. The Secretary may pay or authorize the payment of all reasonable and necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest under this section.

Department of Commerce

15 USC § 1522—General

The Secretary of Commerce is hereby authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of Commerce.

Implementing policy: Department Administrative Order 203-9

Department of Defense

10 USC § 2601, as amended by the National Defense Authorization Act for Fiscal Year 2006—General DoD (Service Secretary) Gift Funds

(a) General Authority to Accept Gifts—Subject to subsection (d)(2), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, or money made on the condition that the gift, devise, or bequest be used for the benefit, or in connection with, the establishment, operation, or maintenance, of a school, hospital, library, museum, cemetery, or other institution or organization under the jurisdiction of the Secretary.

(b) Additional Authority to Accept Gifts to Benefit Certain Members, Dependents, and Civilian Employees—

(1) Subject to subsection (d)(2), the Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real property, personal property, money or services made on the condition that the gift, devise or bequest be used for the benefit of—

(A) members of the armed forces including members performing full-time National Guard duty under section 502(f) of title 32, who incur a wound, injury, or illness while in the line of duty;

(B) civilian employees in the Department of Defense who incur a wound, injury, or illness while in the line of duty;

(C) dependents of such members or employees; and

(D) survivors of such members or employees who are killed.

(2) The Secretary concerned may not accept a gift of services from a foreign government or international organization under this subsection. A gift of real property, personal property, or money may be accepted under this subsection only if the gift is not designated for a specific individual.

10 USC § 113 - Acceptance of Voluntary Services for Commemorative Programs

The Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the commemorative program. "(2) A person providing voluntary services under this subsection shall be considered to be a Federal employee for purposes of chapter 81 of title 5, United States Code, relating to compensation for work-related injuries. The person shall also be considered a special governmental employee for purposes of standards of conduct

10 USC § 1588 - Acceptance of voluntary services

Voluntary medical services, dental services, nursing services, or other health-care related services; and for museum or a natural resources programs; services to members of the armed forces and the families of such members, including the family support programs, child development and youth services programs, library and education programs, religious programs, housing referral programs, and programs for employment assistance to spouses of service members, and morale, welfare, and recreation programs; funeral honors; legal services voluntarily provided as legal assistance; administration to secondary school students of the test known as the "Armed Services Vocational Aptitude Battery;" voluntary translation or interpretation services; and support programs of a committee of the Employer Support of the Guard and Reserve.

10 USC §2113(j) - Uniformed Services University of the Health Sciences

(1)The Secretary also is authorized—

(A) to enter into contracts with, accept grants from, and make grants to the Henry M. Jackson Foundation for the Advancement of Military Medicine established under section 178 of this title, or any other nonprofit entity, for the purpose of carrying out cooperative enterprises in medical research, medical consultation, and medical education;

(D) to accept, hold, administer, invest, and spend any gift, devise, or bequest of personal property made to the University, including any gift, devise, or bequest for the support of an academic chair, teaching, research, or demonstration project;

(F) to accept the voluntary services of guest scholars and other persons.

10 USC § 2192(b) - Acceptance of Voluntary Services

(1) In furtherance of the authority of the Secretary of Defense under any provision of this chapter or any other provision of law to support educational programs in science, mathematics, engineering, and technology, the Secretary of Defense may, unless otherwise specified in such provision—

(D) accept voluntary services from eligible entities

10 USC § 2605 - Gifts for Defense Dependent Schools

The Secretary of Defense may accept, hold, administer, and spend any gift (including any gift of an interest in real property) made on the condition that it be used in connection with the operation or administration of a defense dependents' school. The Secretary may pay all necessary expenses in connection with the acceptance of a gift under this subsection.

10 USC § 2607—Defense Intelligence College

The Secretary of Defense may accept, hold, administer, and use any gift (including any gift of an interest in real property) made for the purpose of aiding and facilitating the work of the Defense Intelligence College and may pay all necessary expenses in connection with the acceptance of such a gift.

10 USC § 2608 - Contributions to Defense Programs

(a) Acceptance Authority.--The Secretary of Defense may accept from any person, foreign government, or international organization any contribution of money or real or personal property made by such person, foreign government, or international organization for use by the Department of Defense and may accept from any foreign government or international organization any contribution of services made by such foreign government or international organization for use by the Department of Defense.

10 USC § 2610 - Competitions of Excellence: Acceptance of Monetary Awards

(a) Acceptance Authorized.--The Secretary of Defense may accept a monetary award given to the Department of Defense by a nongovernmental entity as a result of the participation of the Department in a competition carried out to recognize excellence or innovation in providing services or administering programs.

30 USC § 9 – Acceptance of Lands from States

Acceptance of lands from States. The Secretary of the Interior is hereby authorized to accept lands, buildings, or other contributions from the several States offering to cooperate in carrying out the purposes of this Act

Department of Education

20 USC § 3481—General

The Secretary has the authority to accept, hold, administer, and utilize gifts, bequests and devises of property, both real and personal, and to accept donations of services, for the purpose of aiding or facilitating the work of the Department.

Department of Health and Human Services

42 USC § 238—Public Health Service

The Secretary may accept unconditional gifts and may, at the recommendation of the Surgeon General, accept conditional gifts to benefit the Public Health Service.

42 USC § 1313(e)(1)— General

The Secretary may accept, on behalf of the United States, gifts (in cash or in kind) for use in carrying out programs to provide temporary assistance to citizens of the United States and to their dependents returned from foreign countries because of the citizen's destitution, illness or because of war, threat of war, invasion, or similar crisis.

42 USC § 3001 note—White House Conference on Aging

The Secretary may accept gifts (in cash or in kind, including voluntary and uncompensated services) to be used in carrying out the duties of the White House Conference on Aging.

42 USC § 3506— Department-wide Authority to Accept Travel Reimbursement Relating to the Performance of Advisory Services

To the extent and under the conditions provided by regulations of the Secretary, officers (including commissioned officers of the Public Health Service) and employees of the Department of Health and Human Services may on and after June 29, 1957, in connection with their attendance at meetings or in performing advisory services concerned with the functions or activities of the Department, be permitted to accept payment, in cash or in kind, from non-Federal agencies, organizations, and individuals, for travel and subsistence expenses, to be retained by them to cover the cost thereof or deposited to the credit of the appropriation from which the cost thereof is paid, as may be provided, in such regulations.

Administration on Aging

Public Law 106-501, § 204

The Assistant Secretary for Aging may accept and use gifts and donations.

Centers for Disease Control and Prevention

42 USC § 280e-11—Authority for Acceptance Of Gifts and Voluntary Services

(1) Authority for accepting funds:

The Director of the Centers for Disease Control and Prevention may accept and utilize, on behalf of the Federal Government, any gift, donation, bequest, or devise of real or personal property from the Foundation for the purpose of aiding or facilitating the work of such Centers. Funds may be accepted and utilized by such Director under the preceding sentence without regard to whether the funds are designated as general-purpose funds or special-purpose funds.

(2) Authority for acceptance of voluntary services:

(A) The Director of the Centers for Disease Control and Prevention may accept, on behalf of the Federal Government, any voluntary services provided to such Centers by the Foundation for the purpose of aiding or facilitating the work of such Centers. In the case of an individual, such Director may accept the services provided under the preceding sentence by the individual for not more than 2 years.

Office of Refugee Resettlement

8 USC § 1522(a)(4)(A)—General

The Director may accept gifts, bequests, or grants of money, property or services to be used in carrying out programs for domestic resettlement of and assistance to refugees.

Food and Drug Administration

21 USC § 379b(c)

The Secretary may accept on behalf of FDA gifts of real or personal property or services to be used in carrying out the responsibility to build a consolidated FDA administrative and laboratory facility.

Public Law 103-330

The Food and Drug Administration may accept donated land in Montgomery and/or Prince Georges Counties, Maryland.

Indian Health Service

25 USC § 451 (pursuant to the Transfer Act, 42 U.S.C § 2001(a))

The Surgeon General may accept real and personal property on behalf of the Indian Health Service to benefit Indian health care.

25 USC §1634—Indian Health Service Facilities

The Secretary may accept renovations and modernizations of Indian Health Service facilities by tribes under certain conditions.

National Institutes of Health

29 USC § 671--National Institute of Occupational Safety and Health

The Director may accept gifts of money, personal or real property made unconditionally to benefit the Institute; may also accept gifts made conditionally, including on condition that the Institute use other Institute funds to supplement the conditional gift.

42 USC § 284(b)(1)(H)—National Institutes of Health

The Secretary, acting through an Institute Director at the National Institutes of Health (NIH), may accept unconditional gifts to benefit that Institute.

42 USC § 285o-4(b) - National Institute on Drug Abuse

Director of the National Institute on Drug Abuse may accept gifts for the benefit of the Medication Development Program.

42 USC § 286(f)—National Library of Medicine

The Secretary may accept gifts to the National Library of Medicine.

Implementing regulations: 42 C.F.R. § 4.4(d)(6).

42 USC § 289f—National Institutes of Health or Other National Research Institutes

The Secretary may accept conditional gifts to NIH or other national research institutes for the acquisition of land, or for the erection, furnishing or maintenance of facilities at the institutes.

42 USC § 290(b)(g)(12)—National Foundation for Biomedical Research

National Foundation for Biomedical Research (a nonprofit corporation established to provide endowments for positions at NIH to conduct biomedical research) may accept any gifts of real or personal property made to the Foundation. Although the Foundation is not part of HHS, the Director of NIH has been designated by statute to serve on the Board of Directors of the Foundation.

Centers for Medicare and Medicaid Services

42 USC § 401(i)—Medicare Trust Funds

The Managing Trustee of the Medicare Trust Funds may accept unconditional money gifts and bequests for benefit of the Trust Funds or any activity financed through the Trust Funds.

Department of Homeland Security

6 USC § 453(b)—Gift Acceptance Permitted only Pursuant to an Authorization Act of Congress

Except as authorized by section 2601 of title 10 and by section 93 of title 14, gifts or donations of services or property of or for the Department may not be accepted, used, or disposed of unless specifically permitted in advance in an appropriations Act and only under the conditions and for the purposes specified in such appropriations Act.

DHS Authorization Act of 2004, Public Law No. 108-90, Section 507, 117 Stat. 1154 (2003)

The Federal Emergency Management Agency 'Bequests and Gifts' account shall be available to the Department of Homeland Security, as authorized by sections 503 and 1517 of the Homeland Security Act of 2002 (6 U.S.C. 313, 557), for the Secretary of Homeland Security to accept, hold, administer and utilize gifts and bequests, including property, to facilitate the work of the Department of Homeland Security: *Provided*, That such fund shall hereafter be known as 'Department of Homeland Security, Gifts and Donations': *Provided further*, That any gift or bequest shall be used in accordance with the terms of that gift or bequest to the greatest extent practicable.

FEMA

42 USC § 5201(b)—General

In furtherance of the purposes of this chapter [disaster relief], the President or his delegate may accept and use bequests, gifts, or donations of service, money, or property, real, personal, or mixed, tangible, or intangible.

42 USC § 5132(d)—Agreements with Commercial Communications Systems for Use of Facilities

The President is authorized to enter into agreements with the officers or agents of any private or commercial communications systems who volunteer the use of their systems on a reimbursable or nonreimbursable basis for the purpose of providing warning to governmental authorities and the civilian population endangered by disasters.

42 USC § 5133(i)—National Predisaster Mitigation Fund

There shall be deposited in the Fund—

- (A) amounts appropriated to carry out this section, which shall remain available until expended; and
- (B) sums available from gifts, bequests, or donations of services or property received by the President for the purpose of predisaster hazard mitigation.

42 USC § 5152(a)—Use and Coordination of Relief Organizations

(a) In providing relief and assistance under this chapter, the President may utilize, with their consent, the personnel and facilities of the American National Red Cross, the Salvation Army, the Mennonite Disaster Service, and other relief or disaster assistance organizations, in the distribution of medicine, food, supplies, or other items, and in the restoration, rehabilitation, or reconstruction of community services housing and essential facilities, whenever the President finds that such utilization is necessary.

42 USC §§ 5197—Gifts of Services, and Gifts of Supplies, Equipment, and Facilities

(c) Services of other agency personnel and volunteers

The Director may--

- (1) use the services of Federal agencies and, with the consent of any State or local government, accept and use the services of State and local agencies;
- (2) establish and use such regional and other offices as may be necessary; and
- (3) use such voluntary and uncompensated services by individuals or organizations as may from time to time be needed.

(d) Gifts

Notwithstanding any other provision of law, the Director may accept gifts of supplies, equipment, and facilities and may use or distribute such gifts for emergency preparedness purposes in accordance with the provisions of this subchapter.

US Coast Guard --see also DOD

10 USC § 2601—General authority

a) The Secretary concerned may accept, hold, administer, and spend any gift, devise, or bequest of real or personal property, made on the condition that it be used for the benefit, or in connection with the establishment, operation, or maintenance, of a school, hospital, library, museum, cemetery, or other institution or organization under the jurisdiction of his department. He may pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest made under this subsection.

Implementing regulation: 33 CFR 17.01-10

14 USC § 93—Equipment and Services

The Commandant may:

(h) design or cause to be designed, cause to be constructed, accept as gift, or otherwise acquire patrol boats and other small craft, equip, operate, maintain, supply, and repair such patrol boats, other small craft, aircraft, and vehicles, and subject to applicable regulations under subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 USC 251 et seq.) dispose of them;

(i) acquire, accept as gift, maintain, repair, and discontinue aids to navigation, appliances, equipment, and supplies;

(m) accept and utilize, in times of emergency in order to save life or protect property, such voluntary services as may be offered to the Coast Guard.

Federal Law Enforcement Training Center

6 USC § 464a—General

In fiscal year 2004 and thereafter, the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes.

Transportation Security Administration

49 USC § 114(m)—

The Under Secretary shall have the same authority as is provided to the Administrator of the Federal Aviation Administration under subsections (l) and (m) of section 106.

49 USC § 106(m)—Services, Equipment, Personnel and Facilities

With the consent of appropriate officials, the Administrator may, with or without reimbursement, use or accept the services, equipment, personnel, and facilities of any other Federal agency (as such term is defined in section 551(1) of title 5) and any other public or private entity.

49 USC § 106(l)(5)—Voluntary Services

(5) Voluntary services.--

(A) General rule.--In exercising the authority to accept gifts and voluntary services under section 326 of this title, and without regard to section 1342 of title 31, the Administrator

may not accept voluntary and uncompensated services if such services are used to displace Federal employees employed on a full-time, part-time, or seasonal basis.

Department of Housing and Urban Development

42 USC § 3535(k)—General

The Secretary is authorized to accept and utilize voluntary and uncompensated services and accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department.

Department of the Interior

43 USC § 1473a—General

The Secretary is authorized to accept lands, buildings, equipment, other contributions and, before, on, and after November 13, 1991, fees to be deposited in the contributed funds account from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies.

43 USC § 1473e--Natural Resources Library

In fiscal year 1999 and thereafter, the Secretary may accept donations and bequests of money, services, or other personal property for the management and enhancement of the Department's Natural Resources Library.

16 USC §1135— National Wilderness Preservation System

(b) Authorization to accept private contributions and gifts; The Secretary of Agriculture or the Secretary of the Interior is authorized to accept private contributions and gifts to be used to further the purposes of this chapter.

16 USC § 4602—Take Pride in America

The Secretary may solicit, accept, hold, administer, invest in government securities and use gifts and bequests of money and other personal property to aid or facilitate the purposes of the TPIA program.

Fish and Wildlife Service

16 USC § 742f(b)—General

In furtherance of the purposes of this Act, the Secretary of the Interior is authorized to accept any gifts, devises, or bequests of real and personal property, or proceeds therefrom, or interests therein, for the benefit of the United States Fish and Wildlife Service, in performing its activities and services. Such acceptance may be subject to the terms of any restrictive or affirmative covenant, or condition of servitude, if such terms are deemed by the Secretary to be in accordance with law and compatible with the purpose for which acceptance is sought.

National Park Service

16 USC § 6—National Park and Monument System

The Secretary of the Interior in his administration of the National Park Service is authorized, in his discretion, to accept patented lands, rights-of-way over patented lands or other lands, buildings, or other property within the various national parks and national monuments, and moneys which may be donated for the purposes of the national park and monument system.

16 USC § 18f(b)—Museums

...[T]o increase the public benefits from museums established within the individual areas administered by the Secretary of the Interior through the National Park Service...[t]he Secretary of the Interior, ...may perform the following functions in such manner as he shall consider to be in the public interest:

(a) Donations and bequests

Accept donations and bequests of money or other personal property, and hold, use, expend, and administer the same for purposes of this section and sections 18f-2 and 18f-3 of this title.

Bureau of Indian Affairs

25 USC § 451—General

The Secretary of the Interior may accept donations of funds or other property for the advancement of the Indian race, and he may use the donated property in accordance with the terms of the donation in furtherance of any program authorized by other provision of law for the benefit of Indians. An annual report shall be made to the Congress on

donations received and allocations made from such donations. This report shall include administrative costs and other pertinent data.

25 USC § 465—Lands, Water Rights, Surface Rights

The Secretary of the Interior is authorized, in his discretion, to acquire, through purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing reservations, including trust or otherwise restricted allotments, whether the allottee be living or deceased, for the purpose of providing land for Indians.

25 USC § 487—Spokane Indian Reservation

The Secretary of the Interior is authorized in his discretion to:

(1) Purchase for the Spokane Tribe of Indians with any funds of such tribe and to otherwise acquire by gift, exchange, or relinquishment any lands or interest in lands or improvements thereon within the Spokane Indian Reservation.

25 USC § 500c—Alaskan natives

The Secretary of the Interior is hereby authorized to receive, in the name of the United States, for and on behalf of said natives of Alaska, gifts made for the purposes of this subchapter.

25 USC § 501—Agricultural and Grazing Lands for Indians

The Secretary of the Interior is authorized, in his discretion, to acquire by purchase, relinquishment, gift, exchange, or assignment, any interest in lands, water rights, or surface rights to lands, within or without existing Indian reservations, including trust or otherwise restricted lands now in Indian ownership: Provided, That such lands shall be agricultural and grazing lands of good character and quality in proportion to the respective needs of the particular Indian or Indians for whom such purchases are made.

25 USC § 608—Yakima Indian Reservation

The Secretary of the Interior is authorized in his discretion, to—

(1) purchase for the Yakima Tribes, with any funds of such tribes, and to otherwise acquire by gift, exchange, or relinquishment, any lands or interest in lands or improvements thereon within the Yakima Indian Reservation or within the area ceded to the United States by the Treaty of June 9, 1855.

25 USC § 2012(1) – School Board

The Secretary may, subject to the approval of the local school board concerned, accept voluntary services on behalf of Bureau schools

Bureau of Land Management

43 USC § 1737(c)— General

The Secretary may accept contributions or donations of money, services, and property, real, personal, or mixed, for the management, protection, development, acquisition, and conveying of the public lands, including the acquisition of rights-of-way for such purposes. He may accept contributions for cadastral surveying performed on federally controlled or intermingled lands.

US Geological Survey

43 USC § 36a—Acquisition of Scientific or Technical Books

The Director of the United States Geological Survey, under the general supervision of the Secretary of the Interior, is authorized to acquire for the United States, by gift or devise, scientific or technical books, manuscripts, maps, and related materials, and to deposit the same in the library of the United States Geological Survey for reference and use as authorized by law.

43 USC § 36b—Acquisition of Lands or Interests Therein

The Secretary of the Interior may, on behalf of the United States and for use by the United States Geological Survey in gaging streams and underground water resources, acquire lands by donation or when funds have been appropriated by Congress by purchase or condemnation, but not in excess of ten acres for any one stream gaging station or observation well site. For the same purpose the Secretary of the Interior may obtain easements, licenses, rights-of-way, and leases limited to run for such a period of time or term of years as may be required for the effective performance of the function of gaging streams and underground water resources.

43 USC § 36c—Acceptance of Contributions from Public and Private Sources

In fiscal year 1987 and thereafter the United States Geological Survey is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private.

Minerals Management Services

43 USC § 1473—General

In fiscal year 1987 and thereafter, the Minerals Management Service is authorized to accept land, buildings, equipment and other contributions, from public and private sources.

Department of Justice

28 USC § 524(d)—General

The Attorney General may accept, hold, administer, and use gifts, devises, and bequests of any property or services for the purpose of aiding or facilitating the work of the Department of Justice.

Implementing policy directive: DOJ 2400.2

Department of Labor

29 USC § 568—General

The Secretary of Labor is authorized to accept, in the name of the Department of Labor, and employ or dispose of in furtherance of authorized activities of the Department of Labor..., any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

29 USC § 2939(b)—Workforce Investment Act

The Secretary is authorized, in carrying out this chapter, to accept, purchase, or lease in the name of the Department of Labor, and employ or dispose of in furtherance of the purposes of this chapter, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services...

29 USC § 2898(f)—Workforce Investment Act/Job Corps

The Secretary may accept on behalf of the Job Corps or individual Job Corps centers charitable donations of cash or other assistance, including equipment and materials, if such donations are available for appropriate use for the purposes set forth in this subchapter.

30 USC § 962—Mine Safety and Health Act

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

Department of the Navy—See also DOD

10 USC § 6973—Gifts to the United States Naval Academy

(a) The Secretary of the Navy may accept, hold, administer, and spend any gift or bequest of personal property, and may accept, hold, and administer any loan of personal property other than money, that is made on the condition that it be used for the benefit of, or for use in connection with, the Naval Academy or the Naval Academy Museum, its collection, or its services. Gifts and bequests of money and the proceeds from the sales of property received as gifts shall be deposited in the Treasury in the fund called "United States Naval Academy Gift and Museum Fund". The Secretary may disburse funds deposited under this subsection for the benefit or use of the Naval Academy (including the Naval Academy Museum) subject to the terms of the gift or bequest.

10 USC § 7221—Gifts to Vessels

The Secretary of the Navy may accept and care for such gifts of silver, colors, books, or other articles of equipment or furniture as, in accordance with custom, are made to vessels of the Navy. Necessary expenses incident to the care of gifts that are accepted shall be paid from the appropriation for the maintenance and operation of vessels.

10 USC § 7220—Gifts for Welfare of Enlisted Members

The Secretary of the Navy may accept gifts for use in providing recreation, amusement, and contentment for enlisted members of the naval service. The fund "Ships' Stores Profits, Navy" shall be credited with these gifts.

Department of State

22 USC § 2697—General

The Secretary of State may accept on behalf of the United States gifts made unconditionally by will or otherwise for the benefit of the Department of State (including the Foreign Service) or for the carrying out of any of its functions. Conditional gifts may be so accepted at the discretion of the Secretary, and the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with its conditions, except that no gift shall be accepted which is conditioned upon any expenditure which will not be met by the gift or the income from the gift unless such expenditure has been approved by Act of Congress.

22 USC § 300—Foreign Service Buildings

(a) The Secretary of State is authorized—

(2) to receive payment in whatever form, or in kind, he determines to be in the interest of the United States for damage to or destruction of property acquired for use of diplomatic and consular establishments abroad, and the contents of such buildings, and

(3) to accept on behalf of the United States gifts of property or services of any kind made by will or otherwise for the purposes of this chapter.

Department of Transportation

49 USC § 326—General

The Secretary of Transportation may accept and use conditional or unconditional gifts of property for the Department of Transportation. The Secretary may accept a gift of services in carrying out aviation duties and powers.

Department of the Treasury

31 USC § 321(d)—General

Unconditional gifts and bequests that will aid and facilitate the work of the Department may be accepted. Gifts or bequests offered subject to conditions may be accepted if they do not unduly restrict or interfere with the work of the Department. Acceptance and use of the gifts and bequests must be approved by the Assistant Secretary for management and CFO or designee.

Implementing policy directive: Treasury Directive 61-09

Department of Veterans Affairs

38 USC § 8301-- General

The Secretary may accept devises, bequests, and gifts, made in any manner, with respect to which the testator or donor shall have indicated the intention that such property shall be for the benefit of groups of persons formerly in the active military, naval, or air service who by virtue of such service alone, or disability suffered therein or therefrom, are or shall be patients or members of any one or more hospitals or homes operated by the United States Government, or has indicated the intention that such property shall be for the benefit of any such hospital or home, or shall be paid or delivered to any official, as such, or any agency in administrative control thereof. The Secretary may also accept, for use in carrying out all laws administered by the Secretary, gifts, devises, and bequests which will enhance the Secretary's ability to provide services or benefits.

38 USC § 8103--Authority to Construct and Alter, and to Acquire Sites for Medical Facilities

(a) Subject to section 8104 of this title [38 USCS § 8104], the Secretary—

(1) may construct or alter any medical facility and may acquire, purchase, lease, condemnation, donation, exchange, or otherwise, such land or interests in land as the Secretary considers necessary for use as the site for such construction or alteration;

(2) may acquire, by purchase, lease, condemnation, donation, exchange, or otherwise, any facility (including the site of such facility) that the Secretary considers necessary for use as a medical facility

38 USC § 8104(e)—Gifts in Connection with Medical Facility Acquisitions

(e) The Secretary may accept gifts or donations for any of the purposes of this subchapter [38 USC §§ 8101 et seq.].

Note: (a)(1) The purpose of this subsection is to enable Congress to ensure the equitable distribution of medical facilities throughout the United States, ...

38 USC § 7364—Gifts for VA Research

(a) A corporation established under this subchapter [38 USCS §§ 7361 et seq.] may—

(1) accept gifts and grants from, and enter into contracts with, individuals and public and private entities solely to carry out the purposes of this subchapter.

38 USC § 2407—Authority to Accept and Maintain Suitable Memorials

Subject to such restrictions as the Secretary may prescribe, the Secretary may accept gifts, devises, or bequests from legitimate societies and organizations or reputable individuals, made in any manner, which are made for the purpose of beautifying national

cemeteries, or are determined to be beneficial to such cemetery. The Secretary may make land available for this purpose, and may furnish such care and maintenance as the Secretary deems necessary.

38 USC § 2406—Acquisition of Lands

As additional lands are needed for national cemeteries, they may be acquired by the Secretary by purchase, gift (including donations from States or political subdivisions thereof), condemnation, transfer from other Federal agencies, exchange, or otherwise, as the Secretary determines to be in the best interest of the United States.

38 USC § 513—Contracts and Personal Services

The Secretary may, for purposes of all laws administered by the Department, accept uncompensated services, and enter into contracts or agreements with private or public agencies or persons (including contracts for services of translators without regard to any other law), for such necessary services (including personal services) as the Secretary may consider practicable. The Secretary may also enter into contracts or agreements with private concerns or public agencies for the hiring of passenger motor vehicles or aircraft for official travel whenever, in the Secretary's judgment, such arrangements are in the interest of efficiency or economy.

AGENCIES

Access Board

29 USC § 792(i)(2)(A)—General

The Access Board may accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal, for the purpose of aiding and facilitating the functions of the Access Board under paragraphs (2) and (4) of subsection (b) of this section.

Advisory Council on Historic Preservation

16 USC § 470m(g)—General

The Council may obtain by purchase, rental, donation, or otherwise, such additional property facilities, and services as may be needed to carry out its duties and may also receive donations of moneys for such purpose, and the Executive Director is authorized, in his discretion, to accept, hold, use, expend, and administer the same for the purposes of this subchapter.

16 USC § 470h-1—National Register of Historic Places

The Secretary [of the Interior] may accept the donation of funds which may be expended by him for projects to acquire, restore, preserve, or recover data from any district, building, structure, site, or object which is listed on the National Register of Historic Places established pursuant to section 470a of this title, so long as the project is owned by a State, any unit of local government, or any nonprofit entity.

African Development Foundation

22 USC § 290h-4(a)(9)—General

The Foundation may accept gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, in furtherance of the purposes of this subchapter.

Implementing policy: ADF Manual Section 312

Agency for International Development

Section 635(d) of the Foreign Assistance Act

The President may accept and use in furtherance of the purposes of this Act, money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purpose.

NOTE: Although this authority is broad in scope, USAID's gift authority has not been used for domestic disasters.

Implementing policy: Section 628 of the USAID's Automated Directive System (ADS).

Armed Forces Retirement Home

24 USC §422 – Voluntary Services

The Chief Operating Officer or the Director of a facility of an Armed Forces Retirement Home may accept from any person voluntary personal services or gratuitous services.

Barry M. Goldwater Scholarship and Excellence in Education Foundation

20 USC § 4710(a)(4)—General

The Foundation may receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation, and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions.

Christopher Columbus Fellowship Foundation

20 USC § 5708(a)(4)

The Foundation may receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions

20 USC § 5708(a)(5)

The Foundation may accept and utilize the services of voluntary and uncompensated personnel.

Corporation for National and Community Service

42 USC §12651g(a)(2)

The Corporation may solicit, accept, hold, administer, use, and dispose of, in furtherance of the purposes of the national service laws, donations of any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise.

Executive Office of the President

Council on Environmental Quality

42 USC §4346a—Travel Reimbursement by Private Organizations and Federal, State, and Local Governments

The Council may accept reimbursements from any private nonprofit organization or from any department, agency, or instrumentality of the Federal Government, any State, or local government, for the reasonable travel expenses incurred by an officer or employee of the Council in connection with his attendance at any conference, seminar, or similar meeting conducted for the benefit of the Council.

Office of Administration

P.L. 100-461, Sec. 590—Dwight D. Eisenhower Executive Office Building

The Director of the Office of Administration is authorized to—
(1) accept, hold, administer, utilize and sell gifts and bequests of property, both real and personal, and loans of personal property other than money; and
(2) accept and utilize voluntary and uncompensated services; for the purpose of aiding, benefiting, or facilitating the work of preservation, restoration, renovation, rehabilitation, or historic furnishing of the Dwight D. Eisenhower Executive Office Building and the grounds thereof.

Office of National Drug Control Policy

21 USC §1702(d)—General

There is established in the Treasury of the United States a fund for the receipt of gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office. The Office may accept, hold, and administer contributions to the Fund.

Office of the U.S. Trade Representative

19 USC 2171(d)(6)—Voluntary Services

The U.S. Trade Representative may accept voluntary and uncompensated services, notwithstanding the provisions of section 1342 of title 31.

Federal Communications Commission

47 USC §154—General

The FCC is authorized to accept, hold, administer, and use unconditional gifts, donations, and bequests of real, personal and other property (including voluntary and uncompensated services).

Implementing regulation: 47 CFR § 1.3000

Federal Housing Finance Board

1422 USC §§ 1422b(a)(3) and (c)—General

It is the Finance Board's position that, as a matter of law, the Federal Home Loan Bank Act (Bank Act) provides authority for the agency to accept and use a gift from a non-federal source. A statutory provision specifically addressing gift acceptance is not necessary to authorize the Finance Board to accept and use a gift from a non-federal source because the agency's receipts are neither government funds nor appropriated monies, and its expenditures are not limited by an appropriation act. Since acceptance and use by the Finance Board of a gift from a non-federal source is lawful, any limit that may be imposed on the exercise of that authority is a matter of agency policy.

Federal Mediation and Conciliation Service

Public Law 107-116—General

That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

Federal Reserve System

12 USC § 244—General

The Board shall determine and prescribe the manner in which its obligations shall be incurred and its disbursements and expenses allowed and paid, and may leave on deposit in the Federal Reserve banks the proceeds of assessments levied upon them to defray its estimated expenses and the salaries of its members and employees, whose employment, compensation, leave, and expenses shall be governed solely by the provisions of this chapter and rules and regulations of the Board not inconsistent therewith; and funds derived from such assessments shall not be construed to be Government funds or appropriated moneys.

General Services Administration

40 USC § 3175—Property

The Administrator of General Services, and the United States Postal Service where that office is concerned, may accept on behalf of the Federal Government unconditional gifts of property in aid of any project or function within their respective jurisdictions.

Institute of Museum Services

20 USC § 9106—General

The Institute is authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such property or services in furtherance of the functions of the Institute.

International Trade Commission

19 USC §1331(a)(1)(B)—General

The chairman of the Commission may accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Commission.

James Madison Memorial Fellowship Foundation

20 USC § 4513(a)(4)—General

The Foundation may receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of the Foundation; and to use, sell, or otherwise dispose of such property for the purpose of carrying out its functions.

20 USC § 4513(a)(5)—Voluntary services

The Foundation may accept and utilize the services of voluntary and noncompensated personnel.

Millennium Challenge Corporation

22 USC § 7713(a)(6)—General

The Corporation may accept cash gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, for the purpose of carrying out the provisions of this title.

Morris K. Udall Foundation

20 USC §§ 5608(a)(4) and (5)—General

The Foundation is authorized to—

(a)(4) accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Foundation;

(5) accept and utilize the services of voluntary and noncompensated personnel...

National Aeronautics and Space Administration

42 USC § 2473(c)(4)—General

The Administrator may accept unconditional gifts or donations of services, money or property, real, personal, or mixed, tangible or intangible.

National Archives and Records Administration

44 USC § 2112(g)(1)—Presidential Libraries

Authorizes the Archivist to solicit and accept gifts and bequests of money and other property on behalf of the Presidential libraries, and reserves any monies so raised and deposited in the National Archives Trust Fund for the benefit and use of the library that raised the money.

44 USC §2305—National Archives Trust Fund

Authorizes the National Archives Trust Fund Board, of which the Archivist is the Chairman, to solicit and accept gifts of money, securities, or other personal property in connection with the national archival and records activities of NARA.

National Credit Union Administration

12 USC § 1772a—General

The Board is authorized to accept gifts of money made unconditionally by will or otherwise for the carrying out of any of the functions under this chapter. A conditional gift of money made by will or otherwise for such purposes may be accepted and used in accordance with its conditions, but no such gift shall be accepted which is conditioned upon any expenditure not to be met there from or from income thereof unless the Board determines that supplementation of such gift from the fees it may expend pursuant to sections 1755 and 1756 of this title or from any funds appropriated pursuant to section 1766(f)(2)(C) of this title for the purpose of making such expenditure will not adversely affect the sound administration of this chapter.

National Endowment for the Arts/National Endowment for the Humanities

20 USC §§ 959(a)(2)and (5)—General

(a)(2) in the discretion of the Chairperson of an Endowment, after receiving the recommendation of the National Council of that Endowment, to receive money and other property donated, bequeathed, or devised to that Endowment with or without a condition or restriction, including a condition that the Chairperson use other funds of that Endowment for the purposes of the gift, except that a Chairperson may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 955(f) and 957(f) of this title, and may receive a gift of \$15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time, and to use, sell, or otherwise dispose of such property for the purpose of carrying out sections 954(c) and 956(c)of this title;

(5) to accept and utilize the services of voluntary and uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5 for persons in the Government service employed without compensation

National Science Foundation

42 USC §§ 1870(e) and (f)—General

The Foundation is authorized:

(e) to acquire by purchase, lease, loan, gift, or condemnation, and to hold and dispose of by grant, sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this chapter;

(f) to receive and use funds donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Foundation.

Office of Government Ethics

5 USC Appendix 403(b)—General

The Director is authorized to accept and utilize on behalf of the United States, any gift, donation, bequest, or devise of money, use of facilities, personal property, or services for the purpose of aiding or facilitating the work of the Office of Government Ethics.

Implementing regulations: 5 CFR § 2601

Office of Personnel Management

Public Law 105-61, Section 505—Federal Executive Institute and Management Development Centers

The Office of Personnel Management may...accept donations of supplies, services, land, and equipment for the Federal Executive Institute and Management Development Centers to assist in enhancing the quality of Federal management.

Overseas Private Investment Corporation

22 USC § 2395(d)—General

The President may accept and use in furtherance of the purposes of this chapter, money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purpose.

Peace Corps

22 USC §2509(a)(4)—General

The Director may accept voluntary services notwithstanding the provisions of section 1342 of title 31, and any money or property (real, personal or mixed, tangible or intangible) received by gift, devise, bequest, or otherwise.

Pension Benefit Guaranty Corporation

29 USC §1302(b)(5)—General

The Corporation has the power to lease, purchase, accept gifts or donations of, or otherwise to acquire, to own, hold, improve, use, or otherwise deal in or with, and to sell, convey, mortgage, pledge, lease, exchange, or otherwise dispose of, any property, real, personal, or mixed, or any interest therein wherever situated.

The Presidio Trust

16 USC §460bb, Appendix Section 104(e)—General

The Trust may solicit and accept donations of funds, property, supplies, or services from individuals, foundations, corporations, and other private or public entities for the purpose of carrying out its duties. The Trust is encouraged to maintain a liaison with the Golden Gate National Park Association.

Railroad Retirement Board

45 USC § 231f(e)—Railroad Retirement Account

The Board is authorized to accept on behalf of the United States money gifts and bequests made unconditionally to the Railroad Retirement Account, to the Railroad Retirement Supplemental Account, or to the Railroad Unemployment Insurance Account,

or to the Board, or any member, officer, or employee thereof, for the benefit of such accounts or any activity financed through such accounts. Any such gift accepted pursuant to the authority granted in this subsection shall be deposited in the specific account designated by the donor or, if the donor has made no such specific designation, in the Railroad Retirement Account.

Securities and Exchange Commission

15 USC § 78d(c)--Acceptance of Travel Support for Commission Activities from Non-Federal Sources

Notwithstanding any other provision of law, in accordance with regulations which the Commission shall prescribe to prevent conflicts of interest, the Commission may accept payment and reimbursement, in cash or in kind, from non-Federal agencies, organizations, and individuals for travel, subsistence, and other necessary expenses incurred by Commission members and employees in attending meetings and conferences concerning the functions or activities of the Commission. Any payment or reimbursement accepted shall be credited to the appropriated funds of the Commission. The amount of travel, subsistence, and other necessary expenses for members and employees paid or reimbursed under this subsection may exceed per diem amounts established in official travel regulations, but the Commission may include in its regulations under this subsection a limitation on such amounts.

15 USC § 78d(f)--Reimbursement of Expenses for Assisting Foreign Securities Authorities

Notwithstanding any other provision of law, the Commission may accept payment and reimbursement, in cash or in kind, from a foreign securities authority, or made on behalf of such authority, for necessary expenses incurred by the Commission, its members, and employees in carrying out any investigation pursuant to section 78u(a)(2) of this title or in providing any other assistance to a foreign securities authority. Any payment or reimbursement accepted shall be considered a reimbursement to the appropriated funds of the Commission.

Trade and Development Agency

22 USC § 2395(d)—General

The President may accept and use in furtherance of the purposes of this chapter, money, funds, property, and services of any kind made available by gift, devise, bequest, grant, or otherwise for such purpose.

